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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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14 UNITED STATES OF AMERICA, ) Case No. 2:16-mj-00562-NJK  
15 Plaintiff, )  
16 ) Stipulation to Continue  
17 ) the Preliminary Hearing  
18 vs. )  
19 )  
20 RANDY LEE WREN, )  
21 )  
22 Defendant. )

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IT IS HEREBY STIPULATED AND AGREED, by and between  
DANIEL G. BOGDEN, United States Attorney, and ELHAM ROOHANI, Assistant  
United States Attorney, counsel for the United States of America, and REBECCA  
LEVY, counsel for Defendant RANDY LEE WREN, that the preliminary hearing  
date in the above-captioned matter, currently scheduled for August 7, 2017, at 4:00  
pm, be vacated to a date and time convenient to this Honorable Court but in any  
event no sooner than 60 days.

This stipulation is entered into for the following reasons:

1. The parties have resolved the case pre-indictment, and are awaiting  
2 assignment of a district judge and a change of plea date. Additional  
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1 time is needed to accommodate court scheduling.

2 2. The parties agree to the continuance.

3 3. Defendant is incarcerated, but does not object to the continuance.

4 4. Additionally, denial of this request for continuance could result in a

5 miscarriage of justice.

6 5. The additional time requested herein is not sought for purposes of

7 delay, but to allow for a potential pre-indictment resolution of the case.

8 6. The additional time requested by this stipulation, is allowed, with the

9 defendant's consent under the Federal Rules of Procedure 5.1(d).

10 DATED this 7th day of August, 2017.

11 11 Respectfully submitted,  
12 STEVEN W. MYHRE  
13 Acting United States Attorney

14 //s//  
15 REBECCA LEVY, ESQ.  
16 Counsel for Defendant  
17 RANDY LEE WREN

18 //s//  
19 ELHAM ROOHANI  
20 Assistant United States Attorney

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2       **UNITED STATES DISTRICT COURT**  
3       **DISTRICT OF NEVADA**

4       **-oOo-**

5       UNITED STATES OF AMERICA,

Case No. 2:16-mj-00562-NJK

6               Plaintiff,

7               **ORDER**

8       vs.

9       RANDY LEE WREN,

10              Defendant.

11              **ORDER**

12       Based on the pending Stipulation of counsel, and good cause appearing  
13 therefore, the Court finds that:

- 14       1. The parties have resolved the case pre-indictment, and are awaiting  
15              assignment of a district judge and a change of plea date. Additional time is  
16              needed to accommodate court scheduling.
- 17       2. The parties agree to the continuance.
- 18       3. Defendant is incarcerated, but does not object to the continuance.
- 19       4. Additionally, denial of this request for continuance could result in a  
20              miscarriage of justice.
- 21       5. The additional time requested herein is not sought for purposes of delay, but  
22              to allow for a potential pre-indictment resolution of the case.
- 23       6. The additional time requested by this stipulation, is allowed, with the  
24              defendant's consent under the Federal Rules of Procedure 5.1(d).

1 For all of the above-stated reasons, the ends of justice would best be served  
2 by a continuance of the preliminary hearing date.

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best  
5 interest of the public and the defendants, since the failure to grant said continuance  
6 would be likely to result in a miscarriage of justice, would deny the parties herein  
7 to potentially resolve the case prior to indictment, and further would deny the  
8 parties sufficient time and the opportunity within which to be able to effectively and  
9 thoroughly prepare for the preliminary hearing, taking into account the exercise of  
10 due diligence.

11 The continuance sought herein is allowed, with the defendants' consent,  
12 pursuant to Federal Rules of Procedure 5.1(d).

13 **ORDER**

14 IT IS THEREFORE ORDERED that the preliminary hearing currently  
15 scheduled for August 7, 2017, at the hour of 4:00 pm, be vacated and continued to  
16 October 11, 2017, at 4:00 p.m., in courtroom 3C.

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18 DATED 7th day of August, 2017.

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21 THE HONORABLE NANCY J. KOPPE  
22 UNITED STATES MAGISTRATE JUDGE  
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